



U.S. Department of Justice

United States Attorney
Southern District of New York

The Jacob K. Javits Federal Building
26 Federal Plaza, 37th Floor
New York, New York 10278

August 8, 2024

BY ECF

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

Re: United States v. Justin Ballester, 23 Cr. 204 (PGG)

Dear Judge Gardephe:

The Government respectfully submits this letter motion to request, on consent, a one-week adjournment of the August 16, 2024 continued sentencing hearing for defendant Justin Ballester and the corresponding August 9 deadline for supplemental written submissions. The parties have been actively working on the issues raised at the last appearance, including additional proffers of government witnesses and continued factual discussions between the parties. The parties are hopeful that continued work on these issues during the requested additional week will result in resolution of the factual disputes, so as to eliminate the need for the Court to make any *Fatico* findings. Counsel for defendant Ballester consents to this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

MEMO ENDORSED: The application is granted. Defendant Ballester's sentencing is adjourned to **August 26, 2024, at 3:00 p.m.** The parties' supplemental written submissions are due by **August 19, 2024.**

SO ORDERED.

Paul G. Gardephe
United States District Judge

by:

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Date: August 8, 2024

cc: Defense counsel